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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 UNITED STATES OF AMERICA,) No. CR 08-0133 DLJ
18 Plaintiff,)
19 v.)
20 ARTURO VILLANUEVA-CORDOVA,) STIPULATION AND [PROPOSED] ORDER
21 Defendant.) EXCLUDING TIME FROM MARCH 6, 2008
22) TO MARCH 10, 2008 FROM THE SPEEDY
23) TRIAL ACT CALCULATION (18 U.S.C.
24) § 3161(h)(8))
25)
26)
27)
28)

29 The parties appeared before Hon. Joseph C. Spero on Thursday, March 6, 2008 for
30 an initial appearance in the above-entitled action. At that time, the Court continued the
31 matter until March 10, 2008 for a detention hearing before Hon. Wayne D. Brazil.. The
32 parties stipulated and agreed to an exclusion of time under the Speedy Trial Act from
33 March 6, 2008 to March 10, 2008, in light of the need for the defendant's counsel to
34 review discovery. Failure to grant the requested continuance would unreasonably deny
35 defense counsel reasonable time necessary for effective preparation, taking into account
36 the exercise of due diligence and the need for counsel to review the discovery with the

1 defendant, and would deny the defendant continuity of counsel. 18 U.S.C. §
2 3161(h)(8)(B)(iv).

3 Given these circumstances, the Court found that the ends of justice served by
4 excluding the period from March 6, 2008 to March 10, 2008 outweigh the best interest of
5 the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

6 IT IS SO STIPULATED.

7 Respectfully submitted,
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9 Date: 3/6/2008
10

/s/
11 DANIEL R. KALEBA
12 Assistant United States Attorney
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14 Date: 3/6/2008
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/s/
16 ERIC M. HAIRSTON
17 Counsel for Defendant
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1 **[PROPOSED] ORDER**

2 Upon stipulation of the parties, and good cause appearing, IT IS ORDERED that
3 with the consent of the defendant, the period from March 6, 2008, to March 10, 2008, is
4 excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv),
5 as the ends of justice served by excluding that time outweigh the best interest of the
6 public and the defendant in a speedy trial and the prompt disposition of criminal cases.

7
8 DATED: _____

9 _____
10 THE HON. JOSEPH C. SPERO
11 United States Magistrate Judge